

RESOLUTION NO. 041028-19

WHEREAS, the Council finds that acquisition of the property interest described in the attachment is necessary for a public use; and

WHEREAS, the City has been unable to agree with the owner on the fair market value of the property interest to be acquired; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Attorney is authorized to file a suit in eminent domain and take other action deemed appropriate to economically effect the needed acquisition of the property interest.

The owner of the property interest to be acquired is Jackie L. Payne and the property is located at 1509 Three Points Road, Pflugerville, Travis County, Texas.

ADOPTED: October 28, 2004

ATTEST: 
Shirley A. Brown
City Clerk

Jackie L. Payne
To
City of Austin
(for Temporary Workspace Easement)

Field Notes

BEING 0.009 OF ONE ACRE OF LAND, MORE OR LESS, OUT OF AND A PART OF THE L. C. CUNNINGHAM SURVEY No. 63, ABSTRACT No. 163 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE TRACT CONVEYED TO JACKIE L. PAYNE BY DEED FILED FOR RECORD ON JANUARY 29, 1993, RECORDED IN VOLUME 11862, PAGE 303 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS SAID 0.009 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING, at a 1/2 inch iron pin found in the south line of Three Points Road (formerly Centex Street), same being a corner in a northerly line of the tract conveyed to Jackie L. Payne by deed recorded in Volume 11862, Page 303 of the Official Public Records of Travis County, Texas, same also being North 62°41'08" West, a distance of 94.96 feet from a 3/8 inch iron pin found at the northeast corner of said Payne tract, for the Point of Beginning and the northeast corner of the herein described tract of land having grid coordinates N=10137787.82, E=3138842.29;

- 1) THENCE, South 14°51'00" West, a distance of 10.00 feet, to a calculated point for the southeast corner of the herein described tract of land;
- 2) THENCE, North 75°09'00" West, a distance of 38.96 feet, to a calculated point for a corner;
- 3) THENCE, North 74°52'30" West, a distance of 1.67 feet, to a calculated point in the west line of said Jackie L. Payne tract, same being in the east line of the tract conveyed to R. J. Stroh Family Partnership by deed recorded in Volume 12429, Page 512 of the Official Public Records of Travis County, Texas, for the southwest corner of the herein described tract of land;
- 4) THENCE, North 24°29'30" East; a distance of 10.14 feet, with the west line of said Jackie L. Payne tract, and the east line of said R. J. Stroh Family Partnership tract, to a calculated point in the south line of Three Points Road, same being the northwest corner of said Jackie L. Payne tract and the northeast corner of said R. J. Stroh Family Partnership tract, for the northwest corner of the herein described tract of land;
- 5) THENCE, South 75°09'00" East, a distance of 38.94 feet, with the south line of Three Points Road, and a northerly line said Jackie L. Payne tract, to the Point of Beginning and containing an area of 0.009 of one acre of land, more or less.

Eduardo O. Mendez

Eduardo O. Mendez
Registered Professional Land Surveyor 5010

1/30/02
Date

Martinez, Wright & Mendez, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723
(512) 453-0767



Bearing Basis:

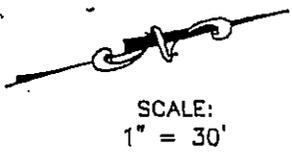
All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83 (HARN). All coordinates shown hereon are adjusted to surface by dividing grid coordinates by a combined adjustment factor of 0.9999. All distances shown are surface distances.

TCAD No.: 0274280103
CITY GRID No.: N-38

FIELD NOTES REVIEWED
By: *Walt Dittus* Date: *2/23/02*

Engineering Support Section
Department of Public Works
and Transportation

EXHIBIT "A"
Page 1 of 2

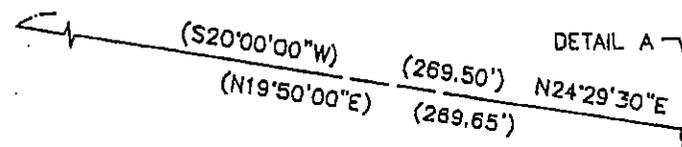


S73°54'19"E 43.20'
(S78°39'00"E) (43.22')

SCALE:
1" = 30'

R. J. STROH FAMILY PARTNERSHIP
VOLUME 12429, PAGE 512

L. C. CUNNINGHAM SURVEY No. 63
ABSTRACT No. 163



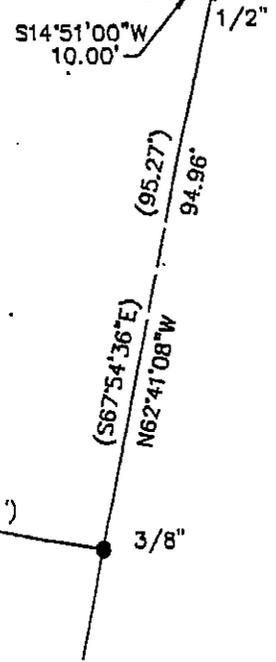
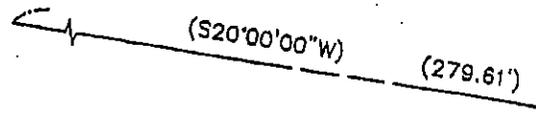
DETAIL A

10' TEMPORARY
WORKSPACE EASEMENT
0.009 ACRES

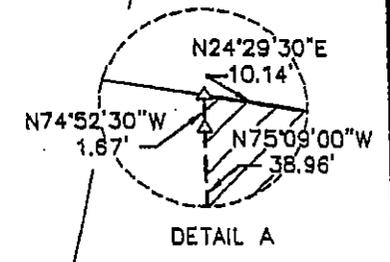
JACKIE L. PAYNE
VOLUME 11862, PAGE 303

LEGEND:

- IRON PIN FOUND
- △ CALCULATED POINT
- () INDICATES RECORD DATA
- ▨ AREA OF EASEMENT



THREE POINTS RD.
(FORMERLY CENTEX STREET)
(R.O.W. VARIES)



THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.

THE COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE, CENTRAL ZONE, NAD 83 (HARN). FOR SURFACE COORDINATES, DIVIDE BY 0.9999. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

CONTROL MONUMENTS:
AUSTIN RRP N=10085515.87, E=3109682.56, EL.=712.96
McGRAY & McGRAY #2 N=10093931.03, E=3108501.52, EL.=721.82



Eduardo O. Mendez 1/30/02

 <p>MARTINEZ WRIGHT & MENDEZ Civil Engineering, Land Surveying, Architecture</p>	<p>Twin Towers, 1105 Clayton Lane Suite 400W, Austin, Texas 78723 Tel: 512.453.0763 Fax: 512.453.1734</p>	<p>SKETCH TO ACCOMPANY FIELD NOTES</p>	<p>DATE: 30-JAN-02 JOB NO: 02552A FILE: JUPIC02552A</p>
	<p>One Peace Bridge, 102 E. Main St Suite 202, Round Rock, Texas 78681 Tel: 512.225-1833 Fax: 512.225-5171</p>	<p>TRAVIS COUNTY, TEXAS</p>	<p>2 2 OF 2</p>